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SENATE BILL 91

**50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011**

INTRODUCED BY

Clinton D. Harden

AN ACT

RELATING TO STATE RULES; ENACTING A NEW SECTION OF THE STATE  
RULES ACT TO SUSPEND THE EFFECTIVENESS OF CERTAIN RULES;  
DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the State Rules Act is  
enacted to read:

"~~[NEW MATERIAL]~~ RECONSIDERATION OF A RULE.--

A. The following rules filed with the records  
center and published in the New Mexico register shall be  
ineffective on the effective date of this section until the  
agency reconsiders the rule:

(1) Rules 20.2.350.1 through 20.2.350.400  
NMAC, adopted by the environmental improvement board in 2010,  
which adopt a cap-and-trade program dealing with greenhouse  
.183696.1

underscored material = new  
~~[bracketed material] = delete~~

underscoring material = new  
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1 gases;

2 (2) Rules 20.2.1, 20.2.2, 20.2.70 and 20.2.72  
3 NMAC, adopted by the environmental improvement board in 2010,  
4 which adopt a cap on emissions dealing with greenhouse gases;

5 (3) Rules 20.2.88.1 through 20.2.88.112 NMAC,  
6 adopted by the environmental improvement board in 2007, which  
7 adopt clean car standards for the state;

8 (4) Rules 20.11.104.1 through 20.11.104.112  
9 NMAC, adopted by the Albuquerque-Bernalillo county air quality  
10 control board in 2007, which adopt clean car standards for  
11 Albuquerque and Bernalillo county; and

12 (5) Rules 11.1.2.11 and 11.1.2.12 through  
13 11.1.2.13 NMAC, adopted by the labor and industrial commission  
14 in 2010, which adopt requirements for establishing prevailing  
15 wage and fringe benefit rates for public works projects.

16 B. When reconsidering a rule, the agency shall  
17 start its rulemaking process from the beginning. If an agency  
18 fails to complete this rulemaking process within one hundred  
19 eighty days from the date of the effective date of this  
20 section, the rule shall remain ineffective and shall be removed  
21 from the New Mexico Administrative Code."

22 SECTION 2. EMERGENCY.--It is necessary for the public  
23 peace, health and safety that this act take effect immediately.